



**FINAL ADMINISTRATIVE DECISION  
ILLINOIS PROPERTY TAX APPEAL BOARD**

APPELLANT: William Fischer  
DOCKET NO.: 20-00781.001-R-1  
PARCEL NO.: 13-16-102-008

The parties of record before the Property Tax Appeal Board are William Fischer, the appellant, by attorney Robert Rosenfeld, of Robert H. Rosenfeld and Associates, LLC in Chicago; and the Lake County Board of Review.

Based on the facts and exhibits presented in this matter, the Property Tax Appeal Board hereby finds **No Change** in the assessment of the property as established by the **Lake** County Board of Review is warranted. The correct assessed valuation of the property is:

**LAND:** \$65,259  
**IMPR.:** \$113,067  
**TOTAL:** \$178,326

Subject only to the State multiplier as applicable.

**Statement of Jurisdiction**

The appellant timely filed the appeal from a decision of the Lake County Board of Review pursuant to section 16-160 of the Property Tax Code (35 ILCS 200/16-160) challenging the assessment for the 2020 tax year. The Property Tax Appeal Board finds that it has jurisdiction over the parties and the subject matter of the appeal.

**Findings of Fact**

The subject property consists of a two-story dwelling of wood siding exterior construction with 2,746 square feet of living area. The dwelling was constructed in 1973 and is approximately 47 years old. Features of the home include an unfinished full basement, central air conditioning, one fireplace and a 575 square foot garage. Other features of the subject include a 740 square foot wood deck. The property has an approximate 64,168 square foot site that contains 57,207 square feet of lake front ground and 6,961 square feet of lakes/lake bottom ground.<sup>1</sup>

The appellant contends assessment inequity with respect to the improvement as the basis of the appeal. In support of this argument, the appellant submitted information on four equity comparables with the same assessment neighborhood code as the subject and located from 1.74

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<sup>1</sup> The Board finds the best evidence of the subject's lot size, property description, and other improvements was the property record card presented by the board of review.

to 3.17 miles from the subject property. The comparables are improved with two-story dwellings of brick or wood siding exterior construction ranging in size from 2,359 to 2,921 square feet of living area. The dwellings range in age from 42 to 51 years old. The comparables each have a full basement, one of which has finished area. Each comparable has central air conditioning, one or two fireplaces, and an attached garage ranging in size from 484 to 593 square feet of building area. The comparables have improvement assessments that range from \$74,494 to \$118,589 or from \$31.58 to \$40.85 per square foot of living area. Based on this evidence, the appellant requested the subject's improvement assessment be reduced to \$93,007 or \$33.87 per square foot of living area.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$178,326. The subject property has an improvement assessment of \$113,067 or \$41.18 per square foot of living area. In support of its contention of the correct assessment, the board of review submitted information on five equity comparables with the same assessment neighborhood code as the subject and located from 1.34 to 1.66 miles from the subject property. The comparables are improved with two-story dwellings of vinyl siding, aluminum siding, wood siding, brick, or wood siding and brick exterior construction ranging in size from 2,618 to 3,136 square feet of living area. The dwellings were built from 1972 to 1980. Each comparable has a full basement with finished area, central air conditioning, one or two fireplaces, and an attached garage ranging in size from 659 to 891 square feet of building area. The board of review also disclosed that comparables #1, #2, #3 and #5 each had other improvements including a wood deck, plastic liner pool, and/or open frame porch. The comparables have improvement assessments that range from \$133,346 to \$161,987 or from \$46.80 to \$54.43 per square foot of living area. Based on this evidence, the board of review requested confirmation of the subject's assessment.

### **Conclusion of Law**

The taxpayer contends assessment inequity as the basis of the appeal. When unequal treatment in the assessment process is the basis of the appeal, the inequity of the assessments must be proved by clear and convincing evidence. 86 Ill.Admin.Code §1910.63(e). Proof of unequal treatment in the assessment process should consist of documentation of the assessments for the assessment year in question of not less than three comparable properties showing the similarity, proximity and lack of distinguishing characteristics of the assessment comparables to the subject property. 86 Ill.Admin.Code §1910.65(b). The Board finds the appellant did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

The record contains a total of nine suggested equity comparables for the Board's consideration. The Board gives less weight to the appellant's comparables due to their less proximate locations to the subject. The Board also gives less weight to board of review comparable #4 due its larger dwelling size when compared to the subject.

The Board finds the best evidence of assessment equity to be the four remaining board of review comparables which are more similar to the subject in location, design, age, dwelling size and most features. However, each comparable has a finished basement which is not a feature of the subject suggesting downward adjustments would be necessary for this difference to make them more equivalent to the subject. Nevertheless, these comparables have improvement assessments

2000764 ranging from \$133,346 to \$161,987 or from \$49.15 to \$54.43 per square foot of living area. The subject's improvement assessment of \$113,067 or \$41.18 per square foot of living area falls below the range established by the best comparables in the record. Based on this record and after considering adjustments to the best comparables for differences when compared to the subject, the Board finds the appellant did not demonstrate with clear and convincing evidence that the subject's improvement was inequitably assessed and a reduction in the subject's assessment is not justified.

This is a final administrative decision of the Property Tax Appeal Board which is subject to review in the Circuit Court or Appellate Court under the provisions of the Administrative Review Law (735 ILCS 5/3-101 et seq.) and section 16-195 of the Property Tax Code. Pursuant to Section 1910.50(d) of the rules of the Property Tax Appeal Board (86 Ill.Admin.Code §1910.50(d)) the proceeding before the Property Tax Appeal Board is terminated when the decision is rendered. The Property Tax Appeal Board does not require any motion or request for reconsideration.



Chairman



Member



Member



Member



Member

DISSENTING: \_\_\_\_\_

CERTIFICATION

As Clerk of the Illinois Property Tax Appeal Board and the keeper of the Records thereof, I do hereby certify that the foregoing is a true, full and complete Final Administrative Decision of the Illinois Property Tax Appeal Board issued this date in the above entitled appeal, now of record in this said office.

Date: September 20, 2022



Clerk of the Property Tax Appeal Board

**IMPORTANT NOTICE**

Section 16-185 of the Property Tax Code provides in part:

"If the Property Tax Appeal Board renders a decision lowering the assessment of a particular parcel after the deadline for filing complaints with the Board of Review or after adjournment of the session of the Board of Review at which assessments for the subsequent year or years of the same general assessment period, as provided in Sections 9-125 through 9-225, are being considered, the taxpayer may, within 30 days after the date of written notice of the Property Tax Appeal Board's decision, appeal the assessment for such subsequent year or years directly to the Property Tax Appeal Board."

In order to comply with the above provision, YOU MUST FILE A PETITION AND EVIDENCE WITH THE PROPERTY TAX APPEAL BOARD WITHIN 30 DAYS OF THE DATE OF THE ENCLOSED DECISION IN ORDER TO APPEAL THE ASSESSMENT OF THE PROPERTY FOR THE SUBSEQUENT YEAR OR YEARS. A separate petition and evidence must be filed for each of the remaining years of the general assessment period.

Based upon the issuance of a lowered assessment by the Property Tax Appeal Board, the refund of paid property taxes is the responsibility of your County Treasurer. Please contact that office with any questions you may have regarding the refund of paid property taxes.

PARTIES OF RECORD

AGENCY

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COUNTY

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